REMARKS

The Application has been carefully reviewed in light of the Office Action dated June 18, 2003 (Paper No. 13). Claims 1 to 69 are in the application, of which Claims 1, 18, 23, 37, 54 and 68 are the independent claims. Claim 1 is being amended and Claim 69 is being added. Reconsideration and further examination are respectfully requested.

Initially, Applicant's undersigned representative gratefully acknowledges the courtesies extended to her by Examiner Hannett and Supervisory Examiner Garber during the November 5, 2003 telephone interview. The amendments and remarks presented herein are based on the discussions held during the interview.

Claims 23, 54 and 68 have been rejected under 35 U.S.C. § 102(a) over an article by Giza entitled "Using A Digital Camera As A Presentation Tool: Screen-Capturing Slides" (Giza), Claims 1 to 7, 17 to 27, 37 to 43, 53 to 58 have been rejected under 35 U.S.C. § 103(a) over Chapter 15 of Charles Petzold's book entitled "Programming Windows 95--The Definitive Developer's Guide to the Windows 95 API" (Petzgold), and Claims 8 to 11, 28 to 31, 44 to 47 and 59 to 62 have been rejected under 35 U.S.C. § 103(a) over Giza, Petzold and U.S. Patent 5,164,831 (Kuchta).

The present invention is directed to a camera driver forming camera-formatted data in response to receipt by the camera driver of application-formatted data, the camera-formatted data being output to a camera. According to certain other aspects of the invention, the operation is invoked from within an application. According to certain other aspects of the invention, a specific camera can be selected and a camera driver corresponding to the selected camera is used to form the camera-formatted data.

According to yet another aspect of the invention, the camera-formatted data is formed from printer-formatted data, which is formed from the application-formatted data.

It is respectfully submitted that the rejection of the claims under 35 U.S.C. § 103(a) based on the applied art fails to establish the requisite prima facie case of obviousness, and withdrawal of the § 103(a) rejection is accordingly respectfully requested.

"To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations." M.P.E.P. § 2143.

Applicant submits that none of the references alone teach all of the features of the claims, a point to which the Office Action is seen to concede. Further, Applicant submits that there is no suggestion to modify the references or to combine the references to teach each and every feature of the present invention. Accordingly, the grounds for rejecting the claims set forth in the Office Action is seen to be deficient.

During the November 5, 2003 interview, the grounds for rejecting the claims based on Giza and Petzold were discussed. As it was understood, the position taken by the Examiner seemed to be that Petzold can be interpreted to include any type of device driver, including a camera driver, and further that Petzold can be interpreted to include any type of device, including a camera. In addition, the Examiner seemed to take the further position that Giza teaches printing data to a camera, which provides the suggestion to combine the teachings of Giza and Petzold such that the combination teaches forming

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camera-formatted data from application-formatted data by a camera driver and uploading

the camera-formatted data in response to receipt of the application-formatted data by the

camera driver.

However, it is respectfully submitted that there is no suggestion provided in

either Petzold or Giza to combine the references and/or to modify the teachings of one or

both of Petzold and Giza, as suggested. Giza is seen to describe a multi-step process

involving considerable interaction by the user to execute the steps described in Giza using

at least three separate software applications to output data to a camera. Petzold is seen to

be limited in its description to printers only, and is not seen to in any way relate its

teachings to a camera.

More particularly, Giza is seen to describe a process performed by the user

in which the user manipulates several applications to perform the steps of: (1) capturing in

a clipboard buffer a screen from a first application by initiating a screen capture operation

invoked using a print screen key, (2) switching to a second application, (3) creating a blank

page in the second application, (4) pasting the clipboard buffer captured in step (1) into the

blank page created in the second application, (5) performing an export operation in the

second application to save the pasted image as a file on the user computer's hard drive by

selecting the JPEG format and specifying a file name for the file and a directory at which a

third application can retrieve the saved file for upload to the camera, and (6) switching to a

third application, QV.Link, and initiating the "send files" operation with the third

application to upload the saved file to the camera.

While the first step of the process described in Giza is referred to as a "print

screen", because it uses the print screen key, it is clear from the description in Giza that the

operation does not actually involve printing. In fact, Giza is seen to explicitly state that the "print screen" key is used to perform a screen capture operation so as to store the contents of the screen in a buffer. Giza then describes pasting the buffer contents into another application window. Thus, it is submitted that no printing of the data is being taught by Giza, and if Giza were to be modified to perform a print, performance of the remaining steps in the process described in Giza would not result in the upload of the printed data as camera-formatted data to a camera, as intended by Giza. That is, Giza must save the screen contents to a buffer in a screen capture operation, since the remaining steps in Giza's process rely on the data being pasted from the buffer into another application window. If a print operation was performed, the data from the screen would be printed to a printer, and would not be available for pasting into another application program. Thus, at least steps (4) through (6) above would not function as described by, and clearly intended in, Giza.

A suggestion to combine the references is also not seen to be provided by Petzold. It is respectfully submitted that in order to reach such a conclusion to combine, or modify, the teachings of Petzold and Giza, it would necessary to conclude that Petzold discusses application of its concepts to a plurality of different types of devices, of which a printing device is just one, and to further conclude that one of the plurality of device types is a camera.

After a careful review of the Petzold reference, no discussion has been found in Petzold concerning application of the concepts discussed therein to a plurality of different types of devices. In fact, the Petzold reference, which is entitled "Using the Printer", is seen to specifically limit its discussion to printers, and is certainly not seen to even suggest application of its teachings to a camera.

Beginning at page 784, the Petzold reference describes the process by which data output by the application is formatted for printing by a printer. The printing process described in Petzold is displayed graphically in Figures 15-1 and 15-2. Referring to Figure 15-1, the program interacts with a printer driver via a graphics display interface (GDI) module to generate a page of print data at a time, which is passed to a print processor, as shown in Figure 15-2, to output the printer-formatted data to a printer for printing.

The Petzold reference continues in its description, with a discussion of creating a device context for use in specifying a particular printer and characteristics of a print job. At page 789, Petzold describes using software such as facsimile software to masquerade as a printer. Finally, Petzold provides code that when executed queries the system kernel to determine a printer's capabilities and properties, to print control characters to a printer to cause the printer to eject a page, to print a page of text and graphics, aborting a print job, displaying a printing dialog box, handling printing errors, processing print data in bands (i.e., rectangular components of a page).

Thus, nothing in Petzold is seen to even suggest application of its teachings to a plurality of different types of devices, and certainly not a camera. Further, the discussion of driver software in Petzold is seen to be limited to generating print data and is not seen to even suggest use of a driver for another purpose, and is certainly not seen to suggest use of a driver that forms camera-formatted data for output to a camera in response to receipt by the driver of application-formatted data. Accordingly, no support is seen for a conclusion that Petzold teaches application of its concepts to a camera, and nothing in Petzold is seen to disclose or to suggest modifying the driver of Petzold to form camera-formatted data for output to a camera from application-formatted data.

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Finally, Kuchta has also been carefully reviewed and is not seen to remedy the deficiencies noted with respect to Giza and Petzold.

Accordingly, it is respectfully submitted that no permissible combination of Giza and Petzold teaches each and every feature of the present invention. Accordingly, it is submitted that the rejection of the claims based on Giza and Petzold does not satisfy the criteria for establishing a prima facie case of obviousness, and withdrawal of the § 103(a) rejection of the claims based on Giza and Petzold is respectfully requested.

In view of the foregoing, the entire application is believed to be in condition for allowance, and such action is respectfully requested at the Examiner's earliest convenience.

Applicant's undersigned attorney may be reached in our Costa Mesa, California office at (714) 540-8700. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

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